

1 SHEPPARD MULLIN RICHTER & HAMPTON LLP  
A Limited Liability Partnership  
2 Including Professional Corporations  
NEIL A. SMITH, Cal. Bar No. 63777  
3 NATHANIEL BRUNO, Cal. Bar No. 228118  
Four Embarcadero Center, 17th Floor  
4 San Francisco, California 94111-4106  
Telephone: 415-434-9100  
5 Facsimile: 415-434-3947  
E-mail: [nsmith@smrh.com](mailto:nsmith@smrh.com)  
6 [nbruno@smrh.com](mailto:nbruno@smrh.com)

7 Attorneys for Defendants DANRICK COMMERCE  
GROUP, LLC a/k/a  
8 MODERNCOLLECTIONS.COM and DANNY  
LOUIE

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 KNOLL, INC., a Delaware corporation,

14 Plaintiff,

15 v.

16 DANRICK COMMERCE GROUP, LLC a/k/a  
17 MODERNCOLLECTIONS.COM, DANNY  
LOUIE, and DOES A–Z, Retailers for  
18 Alphaville Design, Inc.,

19 Defendants.

Case No. 08-CV-0778 MHP

**[PROPOSED] ORDER BY DANRICK  
COMMERCE GROUP, LLC AND DANNY  
LOUIE IN RESPONSE TO KNOLL,  
INC.'S ADMINISTRATIVE REQUEST TO  
RELATE CASES**

Honorable Marilyn Hall Patel  
United States District Judge

1 Plaintiff Knoll, Inc.'s motion entitled "KNOLL INC.'S MISCELLANEOUS  
2 ADMINISTRATIVE REQUEST TO CONSIDER WHETHER CASES SHOULD BE  
3 RELATED" [Docket No. 7], having been duly presented to the Honorable United States District  
4 Judge Marilyn Hall Patel, and after considering the papers and the arguments of counsel, Federal  
5 Rules of Civil Procedure, and Civil Local Rules, the Court orders as follows:

- 6 1. IT IS HEREBY ORDERED THAT the actions entitled *Alphaville Design, Inc. v.*  
7 *Knoll, Inc.*, Case No. 07-CV-05569-MHP and *Knoll, Inc. v. Danrick Commerce*  
8 *Group, LLC et al.*, Case No. 08-CV-0778-MHP are hereby related pursuant to Civil  
9 Local Rule 3-12. This Court shall notify the Clerk of the relation of these cases.  
10  
11 2. IT IS HEREBY FURTHER ORDERED THAT the parties to both related cases set  
12 forth above shall adhere to the case management schedule currently set in this  
13 action, Case No. 08-CV-0778, as set forth in Docket No. 2 to this action.  
14  
15 3. IT IS HEREBY FURTHER ORDERED THAT this Order is without prejudice to  
16 any of the rights of Danrick Commerce Group, LLC a/k/a Moderncollections.com  
17 and Danny Louie (parties to this action, Case No. 08-CV-0778-MHP), as well as  
18 without prejudice to any of the rights of Alphaville Design, Inc, David Lee, and  
19 Peggy Lee (parties to Case No. 07-CV-05569-MHP), including, without limitation,  
20 the right to seek a stay or dismissal of either action and/or all remedies available  
21 under Fed. R. Civ. P. 41.

22 **IT IS SO ORDERED.**

23  
24  
25 Dated: \_\_\_\_\_

26 \_\_\_\_\_  
27 Honorable District Judge Marilyn Hall Patel